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mean that the colonists went so far as to interfere with the rights of the original inhabitants in and about the forum, and this trouble may at the same time be connected with the matter of the suffrage which Cicero also mentions as a point of dispute. It would be doubly painful to the Oscans to lose at the same time their share in the local politics and the unmolested enjoyment of a favorite lounging-place. This inscription, then, asserts their right to the region about the temple and the *villa publica*, whatever that may have been. It may well be the gladiatorial barracks, which as a portico must have been a favorite resort from the heat or the rain. In all the inscriptions eītuns will mean *liceto ire*.

Whether the connection here proposed is the correct one or not, the topographical coincidence seems to be almost perfect between the localities mentioned in the inscriptions and those that we know must have been well-known resorts for recreation. With the use of the wall as a promenade may be compared the similar use of the *agger* of Servius at Rome; Horace *Sat.* i. 8. 15.

NORMAN W. DEWITT

WASHINGTON UNIVERSITY

HIMERIUS ORATION I AND HORACE ARS POETICA 128

In the Προθεωρία of the first oration of Himerius Dübner's text reads:

τὸ δὲ δεύτερον τὴν ἐπὶ τῷ γάμῳ θέσιν, ἣν κοινὴν οὖσαν τῇ φύσει τῇ καινότητι τῶν ἐπιχειρημάτων καὶ τῇ μεθόδῳ τῶν νοημάτων ἡδεῖαν ἀπειργασμένα, καὶ τι καὶ φιλομαθέσιν ἥδυν προσμίξαντες, δ τοὺς ταῦτα δεινοὺς οὐ παρελένσται.

The words *κοινὴν οὖσαν* are Dübner's obvious correction of the *κοινωνοῦσιν* of previous editors. But the text is not yet sound. *ἡδεῖαν* forms an awkward tautology with *ἥδυ* and fails to yield the required antithesis with *κοινήν*. We must read *ἰδίαν*, which modern Greek pronunciation would hardly distinguish from *ἥδεῖαν*. We thus get a pertinent commonplace of ancient rhetoric, Horace's *proprie communia dicere* (*A.P.* 128). It is familiar to Himerius, who at the beginning of *Ecloga* x says: *τὰς κοινότητας τῶν ἑποθέσεων ιδίας αἱ μεταχειρίσεις ἐργάζονται*. Himerius, of course, did not take it from Horace. But it may have been suggested to him by Isocrates, whom he often imitates. In *Panegyr.* 9 Isocrates has:

αἱ μὲν γὰρ πράξεις κοιναὶ πᾶσιν τὸ δ' ἐν καιρῷ ταῦταις καταχρήσασθαι . . . καὶ τοῖς ὄντας εἰδιαθέσθαι τῶν εἰδῶν ἔστιν.

Tasso, whom Mr. Saintsbury (*History of Criticism* II, p. 94) praises as "a link, and a very early link, in the apostolic succession of those who have held and taught the great doctrine that poetry makes the familiar unfamiliar, the accustomed strange and new," is directly or indirectly repeating Isocrates. "Variamente tessendolo, di commune proprio, e *di vecchio novo il facevano.*" Cf. Isocrates *τά τε παλαιὰ καινῶς*, etc., in the same context satirized by Plato *Phaedr.* 267 a.

PAUL SHOREY